

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

GEORGIO RODRIQUEZ SCOTT

PLAINTIFF

v.

CIVIL ACTION NO. 2:19-cv-123-TBM-MTP

FORREST COUNTY, MISSISSIPPI

DEFENDANT

ORDER SETTING EVIDENTIARY HEARING

THIS MATTER came before the Court on July 19, 2022, for a pre-evidentiary hearing conference. Having conferred with the parties, the Court orders and directs as follows:

1. The evidentiary hearing of this action is set for August 3, 2022, at 9:00 a.m. central time (10:00 a.m. eastern time) at the United States District Court, 701 North Main Street, Hattiesburg, Mississippi.
2. Defendant's representative and Counsel shall appear in person. Plaintiff shall appear via video. The Court will direct the appropriate officials where Plaintiff is incarcerated to make Plaintiff available for the evidentiary hearing. Witnesses should appear in person if possible. The Court will attempt to accommodate witnesses who wish to appear via video provided advance notice is given.
3. Plaintiff's single remaining claim is a deprivation-of-water claim against Forrest County. *See* Order [87]. Specifically, Plaintiff alleges that he was deprived of running water in his cell for four days. He alleges that he could not take medication, was dehydrated and fatigued during those four days, and could not clean his cell. *See* Omnibus Order [48].
4. Plaintiff identified the following documents as proposed exhibits:

Incident Report dated June 8, 2019, Bates Numbered CLT-(SCOTT)-000124-125

Inmate Grievance Form dated June 9, 2019, Bates Numbered CLT-(SCOTT)-000089

5. Defendant identified the following documents as proposed exhibits:

Incident Report dated June 8, 2019

Plaintiff's Medical Records from Forrest General Hospital

Plaintiff's Grievances

Forrest County Jail's Policies and Procedures

6. The parties stipulate to the authenticity of the proposed exhibits.
7. Plaintiff's potential witnesses include Plaintiff, Marcus Madden, and Keisha Reed.

Defendant shall have issued and serve a subpoena directing Marcus Madden to appear at the evidentiary hearing. Defendant shall attempt to contact Keisha Reed and request that she appear at the evidentiary hearing. Nevertheless, Plaintiff is advised that it is his responsibility to have Keisha Reed present at the evidentiary hearing. If Reed does not appear at the evidentiary hearing, Plaintiff may present an offer of proof, describing the testimony Reed would have provided.

8. Defendant's potential witnesses include Keith Williamson, Dustin Gibson, Adrien Jones, Brett McCulloch, Adrian Ratliff, Ryu Warnsley, Sampson Long, Marcus Madden, Billy McGee, and Lisa Gatwood.
9. At the conclusion of the evidentiary hearing, the undersigned will enter a written report and recommendation setting forth the undersigned's findings of fact and recommendations to the District Judge. In accordance with the Rules of the Court and 28 U.S.C. § 636(b)(1), any party, within fourteen days after being served a copy of the report and recommendation, may serve and file written objections to the report and recommendation.

SO ORDERED this the 21st day of July, 2022.

s/Michael T. Parker
UNITED STATES MAGISTRATE JUDGE